



California Regional Water Quality Control Board Lahontan Region



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Arnold Schwarzenegger
Governor

MINUTES

June 14-15, 2006

Tour

Wednesday, June 14, 2006 – 1:30 p.m. – 3:30 p.m.

Regional Board members, Regional Board staff and interested persons toured the California Department of Fish and Game Hot Creek Fish Hatchery, Mammoth Lakes.

Regular Meeting

Wednesday, June 14, 2006 – 3:40 p.m.

Hot Creek Fish Hatchery
85 Old School Road
Mammoth Lakes, CA 93546

Dr. Horne called the meeting to order at 3:40 p.m. Board members present: John Brissenden, Jim Chapman, Jack Clarke, Keith Dyas, and Eric Sandel. Board member absent: Susan Van Dam. The Board adjourned to closed session at 3:40 p.m. to discuss Items d, e, i and j.

1. CLOSED SESSION

Board Members met in closed session at the Hot Creek Fish Hatchery on June 14, 2006 from 3:40 p.m. to 5:45 p.m. to discuss Items d, e, i and j. The Board reconvened in open session at 5:45 p.m. and recessed at 5:45 p.m.

Regular Meeting, Continued

Wednesday, June 14, 2006 – 7:05 p.m.

The Village at Mammoth
Grand Sierra Lodge – Emerald Room
1111 Forest Trail
Mammoth Lakes, CA 93546

Chair Horne called the meeting to order at 7:05 p.m. on June 14, 2006.

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BOARD MEMBERS PRESENT

John Brissenden, Hope Valley (arrived at 7:20 p.m.)
Jack Clarke, Apple Valley
Jim Chapman, Susanville
Keith Dyas, Rosamond
Amy Horne, Ph.D., Truckee
Eric Sandel, Truckee

BOARD MEMBER ABSENT

Susan J. Van Dam, Barstow

LEGAL COUNSEL

David Coupe, State Water Resources Control Board

STAFF PRESENT

Harold J. Singer, Executive Officer	Laurie Applegate, Executive Assistant
Robert S. Dodds, Assistant Exec. Officer	Mary Dellavalle, Environmental Scientist
Chuck Curtis, Supervising WRCE	Christy Hunter, Engineering Geologist
Lauri Kemper, Supervising WRCE	Eric Shay, Office Technician
Cindi Mitton, Supervising WRCE	Erich Simon, WRCE
Lisa Dernbach, Senior Engineering Geologist	
Alan Miller, Senior WRCE	
Doug Smith, Senior Engineering Geologist	

ADDRESSING THE BOARD

Susan Burak, Snow Creek 5 Homeowners' Association
Michael Haynie, California Department of Fish and Game
Raymond Tremblay, Los Angeles County Sanitation District

2. PUBLIC FORUM

Raymond Tremblay, Los Angeles County Sanitation District, expressed disappointment that the revised waste discharge requirements for Los Angeles County Sanitation District No. 14 (Lancaster), were removed from the agenda and discussed how the delay would affect operations. He discussed future permits that will be brought before the Board for review and gave a progress report regarding the Palmdale reclamation plant.

3. MINUTES

Minutes of the Regular Meeting of April 12-13, 2006 in Truckee

- **Motion:** Moved by Mr. Chapman, seconded by Mr. Dyas and **unanimously carried** to adopt the April 12-13, 2006 minutes as proposed. Note: Mr. Sandel abstained from the portion of the meeting that he did not participate in (Item 13). Mr. Clarke abstained as he did not attend the April meeting. Mr. Brissenden was not present for the vote.



Minutes of the Regular Meeting of May 11-12, 2006 in Kings Beach

- **Motion**: Moved by Mr. Clarke, seconded by Mr. Chapman and **unanimously carried** to adopt the May 11-12, 2006 minutes as proposed. Note: Mr. Sandel abstained from the portions of the meeting that he did not participate in (Items 2 and 11). Mr. Brissenden was not present for the vote.

Note: Mr. Brissenden arrived at 7:20 p.m.

4. ADOPTION OF UNCONTESTED CALENDAR

Items 7, 8 and 9 were considered on the uncontested calendar.

- **Motion for Items 7, 8 and 9**: Moved by Mr. Clarke, seconded by Mr. Dyas and **unanimously carried** to adopt Items 7, 8 and 9 as proposed on the uncontested calendar.

POST-CLOSURE REQUIREMENTS**7. Molycorp Community and Company Landfills, San Bernardino County**

Adopted as proposed on the uncontested calendar (See Item 4).

REVISED WASTE DISCHARGE REQUIREMENTS**8. U. S. Borax, Inc., The Mojave Cogeneration Company, Clean Energy Fuels Company; Boron Facility, Kern County (Board Order No. 6-01-19)**

Adopted as proposed on the uncontested calendar (See Item 4).

9. Lenwood-Hinkley Class III Landfill, San Bernardino County (Board Order No. 6-95-104)

Adopted as proposed on the uncontested calendar (See Item 4).

OTHER BUSINESS

Note: Items 5 and 6 were considered together. See Item 6 for Board action.

5. Central Area In-situ Remediation Pilot Study Project, Hinkley, San Bernardino County**NEW WASTE DISCHARGE REQUIREMENTS****6. Central Area In-situ Remediation Pilot Study Project, Hinkley, San Bernardino County**

Lisa Dernbach gave the staff presentation for Items 5 and 6. She discussed late revisions to the proposed Board Order and answered questions from the Board.

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Following discussion, additional changes were made to page 10 of the revision sheet for the Order.

- **Motion for Item 5:** Moved by Mr. Clarke, seconded by Mr. Sandel and **unanimously carried** to adopt the Resolution certifying the mitigated negative declaration as proposed.
- **Motion for Item 6:** Moved by Mr. Clarke, seconded by Mr. Sandel and **unanimously carried** to adopt the waste discharge requirements with the changes in the late revision sheet and additional changes to page 10 of the revision sheet for the Order.

STATUS REPORTS

10. Presentation of Pollutant Source Assessment and Loading Budget for the Lake Tahoe Total Maximum Daily Load (TMDL) for Fine Sediment, Nitrogen and Phosphorus

Doug Smith gave the staff presentation and answered questions from the Board. The Board took no action on this item.

11. Executive Officer's Report

Mr. Singer discussed items from the June 2006 written report.

Mr. Singer gave a status report regarding pack stations in the Central Sierra. The U.S. Forest Service permits the pack stations and will require removal of manure from corals as part of the 2006 operating agreements. Regional Board staff will continue to monitor the situation.

The evening session recessed at 9:45 p.m.

Regular Meeting, Continued **8:30 a.m., June 15, 2006**

Chair Horne called the meeting to order at 8:30 a.m. Board members present: John Brissenden, Jim Chapman, Jack Clarke, Keith Dyas, and Eric Sandel. Board member absent: Susan Van Dam.

12. PUBLIC FORUM

Susan Burak, Snow Creek 5 Homeowners' Association, handed out two pictures showing the location of the Snow Creek development and discussed problems with high surface and ground water within the development due to a variety of issues. Ms. Burak asked the Board to direct Regional Board staff to work with staff of the Inyo National Forest, Mammoth Community Water District and the Snow Creek 5 Homeowners' Association to restore wetland function to the meadow.



Mr. Singer noted the issue is primarily a water quantity problem best resolved by the Homeowners' Association, Forest Service and the development. He explained that Regional Board staff would be available to assist with water quality related issues and that the Board's grant coordinator, Cindy Rofer-Wise, would be available to assist with the grant process.

**REVISED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS
(Items 13 through 17)**

Note: Items 13 through 17 were considered together. See Item 17 for discussion and Board action.

13. **State of California Department of Fish and Game; Hot Creek Fish Hatchery, Inyo County (Board Order No. 6-99-55)**
14. **State of California Department of Fish and Game; Mojave River Fish Hatchery, San Bernardino County (Board Order No. 6-99-56)**
15. **State of California Department of Fish and Game; Mount Whitney Fish Hatchery; Inyo County (Board Order No. 6-99-57)**
16. **State of California Department of Fish and Game; Fish Springs Fish Hatchery, Inyo County (Board Order No. 6-99-54)**
17. **State of California Department of Fish and Game; Black Rock Fish Hatchery, Inyo County (Board Order No. 6-99-53)**

Mr. Brissenden declared a conflict of interest and did not participate in Items 13 through 17.

Mary Dellavalle gave the staff presentation. She discussed changes outlined in a revision sheet for Hot Creek Fish Hatchery and site-specific issues related to the fish hatcheries. Staff and legal counsel answered questions regarding the permits.

Addressing the Board: Michael Haynie, Deputy Regional Manager, Department of Fish and Game.

The Board discussed a request from the Department of Fish and Game to not adopt the NPDES permit for the Mt. Whitney Fish Hatchery. Mr. Singer noted staff would work with the Department to validate the Department's claim that the hatchery is not a concentrated aquatic animal production facility and does not require an NPDES permit to operate. If substantiated, the Board could rescind the NPDES permit and adopt waste discharge requirements at a future date. Mr. Singer and Mr. Coupe recommended the Board adopt the NPDES permit for the Mt. Whitney Fish Hatchery.

- **Motion for Items 13 through 17:** Moved by Mr. Dyas, seconded by Mr. Chapman to adopt Items 13 (with changes outlined in late revision sheet) 14, 15, 16 and 17.



Board members discussed a request from the Department of Fish and Game to remove bioassessment monitoring as an annual requirement. Ms. Mitton and Mr. Singer recommended maintaining annual bioassessment monitoring for a period of time. Mr. Singer explained that the Board could revisit the frequency of bioassessment monitoring at any time. Board members concurred.

Board members also discussed a change recommended by staff related to flow monitoring in the revision sheet for Hot Creek Fish Hatchery. The change would insert a paragraph after the table on page E-3, II. MONITORING LOCATIONS of the permit. Following discussion, the Board decided not to add the proposed language to the permit. Mr. Dyas agreed to revise his motion to incorporate deleting the paragraph from the late revision sheet. Mr. Chapman concurred.

- **Revised Motion for Items 13 through 17:** Moved by Mr. Dyas, seconded by Mr. Chapman **and unanimously carried** to adopt Items 13 (with changes outlined in late revision sheet but deleting the revision related to flow monitoring that would have added a paragraph after the table on page E-3, II. MONITORING LOCATIONS) 14, 15, 16 and 17. Note: Mr. Brissenden did not vote.

Note: Jack Clarke left at 10:00 a.m. He was not present for the remainder of the meeting. Mr. Brissenden joined the Board.

REVISED WASTE DISCHARGE REQUIREMENT

18. **Los Angeles County Sanitation District No. 14 (Lancaster), Domestic Wastewater Treatment Facilities, Storage Reservoirs and Eastern Agricultural Site No. 1, Los Angeles County (Board Order No. R6V-2002-053A1)**

This item was removed from the agenda. It will be considered at a future meeting.

OTHER BUSINESS

19. **Reports by Chair and Board Members**

No reports were given.

1. **CLOSED SESSION**

Board Members met in closed session from 10:10 a.m. to 10:25 a.m. to discuss Item b. The Board reconvened in open session at 10:25 a.m.



20. ADJOURNMENT OF MEETING

With no further business to come before the Board, the meeting adjourned at 10:25 a.m.

Original signed by:

Prepared by: _____ Adopted: July 25, 2006
Laurie Applegate, Executive Assistant

